



<b>RESPONSE</b>	Application #	09/806,770
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	First Inventor	PEDERSEN
	Art Unit	2644
	Examiner	Pendleton, Brian T.
	Docket #	P07143US00/MP

Commissioner for Patents  
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S I R:

The claims of the present invention were subject to a Restriction Requirement mailed July 13, 2004. Applicants respectfully traverse the Restriction Requirement as discussed below.

In the Office Action, it was alleged that the present application is directed to more than one species of the generic invention finding that the species are deemed to lack unity of invention because they are not so linked as to form a general inventive concept under PCT Rule 13.1. Further, six species were identified corresponding to various features depicted in the figures.

Contrary to the alleged lack of unity among the species claimed, all species form a general inventive concept in accordance with PCT Rule 13.1. Under PCT Rule 13.2, there is unity of invention among claims when there is a technical relationship among inventions involving one or more of the same or corresponding technical features which is defined as a contribution which each of the claimed inventions is considered to as a whole make over the prior art. The special technical feature which all claimed inventions make over the prior art is a loudspeaker which provides the necessary correction of the frequency response based on a determination of the radiation resistance. The correction based on radiation resistance is a contribution over the prior

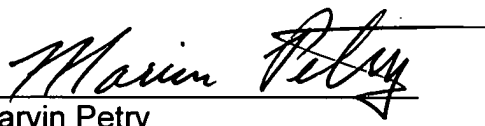
art where correction of the frequency response was based on one or more sound pressures not the radiation resistance. Accordingly, claim 1 is a linking claim generic to all species and in fact is the only independent claim. Thus, contrary to the Examiner's allegation that there is no generic claim, clearly claim 1 is generic to all embodiments disclosed including those depicted in Figures 1-5. Therefore, the Applicants respectfully request the Examiner to withdraw the Restriction Requirement to the present application.

Notwithstanding the arguments made above and in order to make the response to the Restriction Requirement complete, Applicants respectfully elect the species of claim 5 corresponding with Figure 5, with traverse. Claims 1, 5, 7, 11, 13, 14, and 15 are readable on the elected species. Should the Examiner disagree with the claims readable on Figure 5, Applicant respectfully requests claim 5 to be examined.

In view of the foregoing, Applicants respectfully submit that claim 1 is generic and novel over the prior art of record. Therefore, claims 2-17 which depend therefrom are allowable.

Respectfully submitted,

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